

THE SECOND
CHARGE
OF

Sir Clifford W^m. Philipps, Kn^t.

TO THE

GRAND JURY
OF THE

Royalty of the *Tower of London*,
Liberties, and Precincts thereof,

AT THE

General *Quarter Sessions* of the Peace held for
the said Royalty, on *Saturday* the Twelfth
Day of *October*, 1745, at the Court-house
on *Great Tower-Hill*.

*Printed at the Desire of the Justices of the Peace
for the said Royalty, and of the Grand-Jury.*

The SECOND EDITION.

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To the Right Honourable
CHARLES Lord *Cornwallis*,

Baron CORNWALLIS of *Aye*, Constable
of his MAJESTY's Tower of *London*;
Lord Lieutenant, and Custos Rotu-
lorum of the *Hamlets* thereunto
belonging; and one of his MAJES-
TY's most Honourable *Privy Coun-
cil*.

MY LORD,



T the unanimous Desire of
the Justices of the Peace,
and Grand-Jury, I have
ventured to print the fol-
lowing Charge. The pro-
fessed Design of it is to cultivate the
Knowledge of, and enforce Obedience
to our excellent Laws: to promote the
Practice of Religion and Virtue: and,

DEDICATION.

to recommend the warmest Affection to His MAJESTY, His august Family and Government.

I have abstracted the principal Laws in Force, against Roman Catholics; and enlarged on these more, perhaps, than has been usual on this Occasion. This Part of the Service I thought very necessary, when such an unnatural Rebellion is kindled up, and threatens to make this Kingdom, a Scene of Blood, Rapine, and Desolation. Many Protestants may be deluded to their own Destruction, and Papists encouraged, from their being ignorant of these Laws, or thro' the Lenity of the Government, by their not being hitherto, strictly and rigorously executed.

I am fully persuaded that every Thing, which has a Tendency to be either

DEDICATION.

ther Useful, or Ornamental to Society, and especially to this Kingdom, is agreeable to your Lordship's generous Concern for the Publick Good, and will apologize for my Presumption, in making this Dedication; in which I acknowledge myself incapable of doing that Justice, which is due to a Person, whose whole Life and Actions are truly Great and Noble.

The Love of Virtue is very conspicuous in your Lordship's Character, your Zeal in the glorious Cause of Liberty, and for the true Interest and Welfare of your Country, are the shining Qualities that adorn your high Birth, and will always exact the greatest Esteem and Veneration from all, who have the Honour of being acquainted with your distinguishing Merit: your great Abilities, and Integrity, in the Execution of those High Offices

DEDICATION.

*Offices you bear under his MAJESTY :
and your Affability, and Condescension
to all subordinate to you, will add a
Lustre to your Name, in the present
Age, and be a lasting Honour to your
Noble Posterity.*

*Permit me, my Lord, with a grate-
ful Mind, to acknowledge the Obliga-
tions I am under to your Lordship, and
to subscribe myself,*

My LORD,

YOUR LORDSHIP'S

Most Obligated,

Most Obedient, and

Most Humble Servant.

C. W. Philipps.

Tower and Liberty of the Tower of London.) At the General Quarter
Session of the Peace of our
LORD the KING, held at
the Court-house on *Great
Tower-Hill*, within the Li-
berty of the *Tower of Lon-
don*, in and for the Liberty
aforesaid and Precincts there-
of, on *Saturday* the 12th
Day of *October*, in the
Nineteenth Year of the
Reign of our Sovereign
LORD GEORGE the
Second, KING of *Great
Britain*, &c.

HIS MAJESTY's *Justices* of the Peace for the
said Liberty, now assembled at this present
Quarter Session of the Peace, being of Opinion, that
the Charge this Day given by Sir *Clifford William
Philipps*, Knt. the Chairman of this Court to the
Grand-Jury, Sworn to enquire for the Body of the
said Liberty, is a learned, loyal, and instructive
Charge, tending to the Service of HIS MAJESTY,
His Administration and Government. It is therefore
unanimously agreed by the said *Justices*, that the
Thanks of this Court be, and the same are hereby
given to the said Sir *Clifford William Philipps*, for
his said Charge ; and farther, this Court desires that
he would please to cause the same to be printed and
published.

By the Court,

Bruncker.

To the Worshipful

Sir Clifford W^m. Philipps, Kn^t.

Chairman of the General Quarter Sessions of
the Peace, held for His MAJESTY'S Tower
of *London*, Liberties and Precincts thereof,
this 12th Day of *October*, 1745.

WE the *Grand-Jury*, sworn to enquire for the
Body of the Liberty of the Tower of *Lon-*
don, Liberties and Precincts thereof, having this
Day received a most excellent, loyal, and useful
Charge from your Worship, do hereby return you
our most sincere and humble Thanks for the same,
and pray that you will be pleased, for the Publick
Good, to cause the same to be printed.

John Fell.
Clowes Bourne.
John Smith.
David Allan.
Joseph Sumner.
Francis Shipley.
George Bowers.
Henry Clarke.
Patrick Edwards.
Thomas Hutchinson.

Edward Barlow.
William Plees.
Francis Allen.
Robert Hooks.
Thomas Simons.
John Sibley.
John Trathague.
John Clurin.
Francis Taylor.
John Grayson.



THE SECOND
C H A R G E
O F
Sir Clifford W^m. Philipps, Kn^t.

Gentlemen of the Grand-Jury,



Y^e Virtue of the KING's
Commission, and in Pur-
suance of our excellent
Laws, you are Summoned
and Sworn, before this Court, for the
Publick Service.

B

THE

THE Antiquity of your Office is from Time immemorial, if not coeval with the Foundation of our Constitution; and the Dignity of it distinguishes you, from the *Petty-Jury*, as Persons of Eminence, Superior in Fortune, and Abilities.

ENQUIRING into Offences, by *Grand-Juries*, is the great Bulwark to our Liberties, and shews the Wisdom of our Ancestors in contriving this excellent Form of Government.

THIS fundamental Part of our Constitution, with the rest of our Civil and Religious Rights, the Liberty and Well-being of this Nation, are entirely dependent upon, and can only be preserved by the Establishment of the Crown, in the Person of his MAJESTY, and the Succession in the *Protestant* Heirs of his Royal Family.

AND

AND the best Way to make any Degree of Magistracy, or Form of Government useful to the People, for whose Sake it was intended, is to keep up among them a proper Respect and due Veneration for all good Magistrates and Governors, which the Law appoints. And the contrary Behaviour hath always tended to, and often ended in, the Subversion of Order and Decency, and the Introduction of Anarchy and Confusion into any State, where it was allowed to prevail.

EVERY loyal and faithful Subject therefore that loves his MAJESTY, his august Family and Government, and is a Friend to Virtue, Frugality, and our happy Constitution, will have an Ardour to prevent such Consequences; to defend his MAJESTY's undoubted Right and Title to the Crown; to se-

cure the Publick Tranquility; and an Emulation to promote the true Interest, and advance the Honour of this Kingdom: But he that is an Enemy to these Principles, and to its Peace and Prosperity, will countenance and encourage Vice, Luxury, and Disorder; the usual and most effectual Means to introduce Slavery and Arbitrary Power.

THE Ancient *Romans* were a brave free People, and GOD protected them from their Enemies, while they lived honestly, virtuously, and had the Good of their Country at Heart: But when they became corrupt, and wicked; deserted the glorious Cause of Liberty, and basely prostituted the Honour, Welfare, and Happiness of the State, for the Sake of Places, they soon fell a Sacrifice to Cruelty and Oppression.

AND

AND may not we expect the same Fate? Are we more uncorrupt, virtuous and just? On the contrary, do not those Vices, and all Sorts of Wick- edness abound in every Part of the Na- tion? And notwithstanding we are en- gaged in an expensive (tho' necessary) War, our Trade interrupted, the Taxes and the Poor encreased; is not Extravagance and Luxury so predomi- nant, that without a speedy Reforma- tion from these Evils, will not the Consequence be Ruin and Misery to this Nation and People?

HADRIAN the *Roman* Emperor, was such a lover of Frugality and OEconomy, and such an Enemy to Profuseness, that he published an Or- dinance, declaring, that whoever squan- dered his Estate in Luxury, should be publickly exposed to Shame in the Amphitheatre, and banished the City of *Rome*.

HAD

HAD such a Law as this been (consistent with our Liberties) instituted in this Kingdom, it must have been of great Utility, and prevented many noble Persons of Merit, from having been left to inherit Titles of Honour, without Estates to support their Dignities. And eminent Merchants and Tradesmen, from so frequently becoming Bankrupts; as have appeared in our weekly *Gazettes*.

Gentlemen,

You have now a good Opportunity of reviving that brave *Roman* Spirit, I have just mentioned, by preferring the Publick Good to your own private Advantage. By preserving the Repose and Happiness of your dear Country, and by exerting your Office with the warmest Zeal, towards punishing those that dare disturb it.

By

By encouraging Virtue, Industry, and Frugality; by endeavouring to reform Vice, Idleness, and Profuseness; and by a diligent Enquiry, and a true Presentment of such Offences, which I shall give you in Charge, or shall come to your Knowledge.

You are to present no Person for *Envy, Hatred, or Malice*; neither must you leave any one unrepresented, for *Fear, Favour, or Affection*, or out of Hopes of *Gain, or Reward*; but in all Things to present the Truth, according to the best of your Knowledge and Understanding.

AND for the due Performance of this Service (besides what you owe your Country) you have laid yourselves under the highest Obligation, by a solemn Oath to GOD *Almighty*; I shall

shall therefore use no other Argument to excite you to your Duty, but proceed to lay such Matters before you, as are proper for your Enquiry, which I shall explain under three general Heads.

First, WHAT concerns *Almighty GOD*, and his holy *Religion*.

Secondly, THE KING, his Family and Government.

Thirdly, YOUR Neighbours, or Fellow-Subjects.

UNDER the first Head you are to enquire of *Blasphemy* and *Prophaneness*, which you will consider in its general Sense, and include all Sorts of *Prophanation*.

To

To have a due Sense of GOD, who is infinite, omniscient, and the supreme Being; to *serve, honour, and obey* him, with a *filial Love and Reverence*; to keep up and promote his excellent *Religion*, are the best Means to obtain his Blessing on our Arms, Conquest over our Enemies, Peace and Security from the Wars and Troubles this Nation is engaged in.

BUT to *blaspheme*, and treat *ludicrously* his glorious and divine Perfections; *burlesque* his *Religion*; *mock* and *insult* his holy and tremendous Name, by *horrid* and *execrable Oaths*, and *Curses*, are Crimes that deserve the severest Punishment, and, if not prevented, will bring down his Judgments upon us, and he will deliver us into the Hands of our Enemies, or deal with us as he did with the Son of the *Israelitish* Woman, who blas-

C

phemed

phemed the Name of GOD, and cursed; for which GOD commanded him to be brought forth, and stoned to Death, which was accordingly done. And GOD made a Law for the same Purpose, to be observed by the *Jews*, as you will find if you read the 24th Chap. of *Leviticus*, from the tenth to the seventeenth Verse.

THE next Thing I shall mention, under this Head of *Prophanation*, is
32 H. 8. c. 9. f. 3. *wilful and corrupt Perjury*,
5 Eliz. c. 9.
2 G. 2. c. 25. and *Subornation of Perjury*.

THESE are great Indignities to the divine MAJESTY, and the Consequence of these Crimes always endanger, and have really affected the Lives, Liberties, and Properties, of many of his MAJESTY's Subjects.

Drun-

Drunkenness is likewise a ⁴ *Ja. i. c. 5.* high Offence against GOD; because Man was created after his own Image, made Lord of the Creation, endow- ed with the noblest Faculties of know- ing Good from Evil, and capable of the highest Services to GOD: But by this Vice, he reduces himself below the brute Beast; deforms his Nature; is rendered odious and unfit for Socie- ty; and is often the primary Cause of *Swearing, Debauchery*, and the most capital Crimes.

You will also enquire, and present all Persons that are guilty of *Prophan- ing the Lord's-Day*, commonly called *Sunday*; contrary to the ¹ *Eliz. c. 2.* Acts of the First of *Eliza-* ¹ *C. i. c. i.* ³ *C. i. c. i.* *beth*, First and Third of ²⁹ *C. 2. c. 7.* *Charles I.* and the Twenty-ninth of *Charles II.*

IF these good Laws were enforced, and the *Sabbath* kept as a Day of GOD's Worship and Service, agreeable to the Example of our Blessed *Saviour*, and his Apostles, Mankind could not be so wicked, nor all Ranks of Men become so immoral and corrupt; as is evident by the reigning Vices, many Offences, and abominable Crimes, that are committed throughout this Kingdom.

IF you read the dying Confessions of those poor unhappy Wretches, that are executed at *Tyburn*, you will find they generally date their Ruin, from their Neglect of the religious Duties on, and *Prophanation* of, the LORD's DAY. Which his MAJESTY so virtuously and affectionately recommends, in his Royal Proclamation just now read, to be observed with that Decency, as is due to our *Christian Sabbath*.

AND

AND thus I shall conclude my first general Head ; and proceed to the second, under which you are to enquire of *High-Treason*.

By the Common Law *High-Treason* was so extensive, and uncertain, that it depended upon the Determination of the *Judges*, who were anciently under the Influence of *covetous* and *arbitrary Princes*, which rendered the Lives and Properties of the Subjects very precarious, and unsafe ; of which History affords us many melancholy Instances.

BUT that excellent Statute of the 25 Ed. 3. c. 2. Twenty-fifth of *Edward III.* has reduced the several Species of *High-Treason* to a Certainty ; which you may consider under four general Heads.

First,

First, WHAT concerns the KING and his Family.

Secondly, His Officers in the Administration of Justice.

Thirdly, His Seal. And,

Fourthly, His Coin.

BUT as I have already explained several of these, and other Species by late Acts, in a Charge I delivered to the *Grand-Jury*, last *October* Session; and printed at the desire of the Court, I think it unnecessary to repeat them again, at this Time. Yet, for your better Information, I will order you a printed Copy of the said Charge, and explain other Species of *High-Treason* I therein omitted to mention.

By

By an Act of the First of *1 Ma. c. 6.*
 Queen *Mary*, counterfeiting his MA-
 JESTY'S *Sign Manual, Privy Signet,*
 or *Privy Seal*, is *High-Treason*.

By the Fifth of *Eliza-* *5 Eliz. c. 1.*
beth, maintaining the *Pope's* Jurisdic-
 tion, within this Realm, or Domi-
 nions thereunto belonging, for the
 first Offence incurs a *Præmunire*, and
 for the second *High-Treason*.

OBTAINING, or putting in Use *Popish*
Bulls, or in giving or receiving *Abso-*
lution, or in reconciling, or being
 reconciled to the *Romish Religion*,
 contrary to the Act of the Thirteenth
 of *Elizabeth*, is likewise *13 Eliz. c. 2.*
High-Treason.

By the said Act, the Aiders, Com-
 forters, or Maintainers of such Offen-
 ders, shall incur the Penalties and
 Pains

16 R. 2. c. 5. Pains provided by the Statute of *Præmunire*.

AND so shall the Bringers into this Realm, Things called by the Name of *Agnus Dei*, or *Crosses*, *Pictures*, *Beads*, or such like vain and superstitious Things, from the *See* of *Rome*; or from any Person authorized by the said *See* of *Rome*, and delivering, or causing, or offering to be delivered to any Subject of this Realm, to be worn, or used in any wise. And every Person which shall receive and take the same, to use, or wear.

AND by this Act. Concealing an offer of *Absolution*, *Reconciliation*, *Bull*, *Writing* or *Instrument* for the same Purpose, and not disclosing, or signifying it to some of the *Privy-Council*, shall be guilty of *Misprision of High-Treason*.

By

By the Twenty-third of ^{23 Eliz. c. 1.} *Elizabeth*, putting in Practice to *absolve*, *persuade*, or *withdraw* the KING's Subjects from their Obedience to his MAJESTY, or from the established Religion to the *Romish* Religion, or move them to promise any Obedience to any pretended Authority of the *See* of *Rome*, or of any other Prince, State, or Potentate; and if any Person, by any Means, be willingly *absolved*, or *withdrawn* as aforesaid, or willingly be *reconciled*, or shall promise any Obedience to any such pretended Authority, Prince, State, or Potentate, as is aforesaid, shall, with their Procurers, and Counsellors thereunto, be guilty of *High-Treason*.

AND by this Act the Aiders or Maintainers of such Persons so offending, knowing the same, or concealing any Offence as aforesaid, and shall not,

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within

within twenty Days, at the farthest, after such Knowledge of such Offence, disclose the same to some Justice of the Peace, or other high Officer, shall suffer and forfeit, as Offenders in *Misprison of Treason*.

AND every Person which shall say or sing *Mass*, shall forfeit the Sum of Two hundred Marks, and be committed to Gaol, for one Year, and until Payment of the same: And every Person which shall willingly hear *Mass*, shall forfeit the Sum of One hundred Marks, and suffer Imprisonment for a Year.

A *Priest* born within this Realm, and ordained, or professed by *popish* Authority; and after coming into, or remaining in the Realm, and not submitting to his MAJESTY, by taking the Oaths appointed, pursuant to the Act
of

of the Twenty-seventh of 27 Eliz. c. 2.
Elizabeth, shall be adjudged guilty of
High-Treason.

AND by this Act; every Person
 which shall wittingly and willingly
receive, relieve, comfort, aid, or
maintain any such *Priest* as aforesaid,
 knowing him to be so, shall be ad-
 judged a *Felon* without Benefit of
Clergy, and suffer Death.

By the Thirty-fifth of 35 E. c. 2. s. 11.
Elizabeth, a Person suspected to be a
Jesuit, Seminary, or Massing Priest,
 and refusing on Examination, to an-
 swer directly and truly whether he be
 a *Priest* as aforesaid, shall for his Dis-
 obedience and Contempt in that Be-
 half, be committed to Prison, and
 there remain without Bail or Main-
 prize; until he shall make direct and
 true Answer to the said Questions,

whereupon he shall be so examined.

3 J. I. c. 4.
i. 22 & 23. By the Act of the Third of *James I.* putting in Practice to *absolve, persuade, or withdraw* any Subjects of this Realm, from their natural Obedience to his MAJESTY, or to reconcile them to the *See of Rome*, is *High-Treason* in the Reconciler, and Reconciled; and so it is in their Procurers, Counsellors, Aiders and Maintainers.

3 J. I. c. 5. s. 1. AND by another Act of the Third of *James I.* such Person as shall first discover to any Justice of Peace, any Person which shall entertain or relieve any *Jesuit, Seminary, or Popish Priest*; or shall discover any *Mass* to have been said, and the Persons that were present at such *Mass*, and the *Priest* that said the same, or any of them, within

in three Days next after the Offence committed, whereby any of the Offenders may be taken and convicted; shall not only be free from the Danger of the Law, if an Offender, but also have the third Part of such Sums of Money, Goods, Chattels and Debts, which shall be forfeited by such Offence.

AND by this Act, no Person shall bring from beyond the Seas, nor shall print, sell, or buy, any *Popish* superstitious Books printed or written, upon pain of Forfeiture of Forty Shillings for every such Book. Two Justices of Peace, may search the Houses and Lodgings of every *Popish* Recusant Convict, for any *Popish* Books, *Altars*, *Pix*, *Beads*, *Pictures*, or such like *Popish* Relicks; and such as they shall find, may cause presently to be defaced and burnt, and if it be a

Cru-

Crucifix, or other Relick of Price, the same to be defaced at the General *Quarter Sessions* of the Peace, and restored to the Owner again.

11 & 12 W. 3. c. 4. f. 1. By the Eleventh and Twelfth of *William III.* any Person who shall apprehend and take a *Popish Priest*, and prosecute him until convicted of saying *Mass*, or of exercising any other Part of the Office or Function of a *Popish Priest* within these Realms, shall have and receive from the Sheriff of the County where such Conviction shall be made (without paying any Fee for the same) the Sum of One hundred Pounds, within four Months after such Conviction, and Demand thereof made.

THESE Acts may, by some be thought persecuting Laws; but if those that think so, would read the History
of

of those Times, they would be of another Opinion; for Pope *Pius* the Fifth, by his *Bull* in the Year 1569, excommunicated and deposed Queen *Elizabeth*; absolved her Subjects from their Allegiance; and cursed those who continued their Duty and Loyalty.

Gentlemen,

I have been informed that there are lately come from *Ireland*, and other Parts beyond the Seas, into this Kingdom, and particularly the weekly Bills of Mortality, a great Number of *Papists*, and *Popish Priests*; and that there are also a Number of *Conventicles*, in which *Mass* is publicly performed: And that these *Priests* are so assiduous, that they lose no Opportunity of putting in Practice, to persuade his MAJESTY'S Subjects, into a good Opinion of their pernicious Prin-

Principles, which are dangerous to our civil and religious Rights, and in open Defiance to those wholesome Laws I have now mentioned.

THE Knowledge therefore of these Laws, is become necessary for all Ranks of People, and especially Protestants, and those of the meaner Sort; who, for want of an Education, are by the subtil and crafty *Priests*, often seduced and withdrawn from the pure Religion, to the Errors of the Church of *Rome*; and thereby ignorantly subject themselves to the Pains, Penalties, and Forfeitures, that these good Laws have so wisely provided.

IF you know of any such Offenders, within this Liberty, present them to the Court.

THE

THE next Sort of Offences for your Enquiry, are *Felonies* and *Misdemeanours*; and falls under the Third and Last general Head.

I shall begin with those that are Capital. And first *Murder*; which is the *Killing* any Person upon *Malice Prepense*.

23 H. 8. c. 1.

32 H. 8. c. 3.

1 Ed. 6. c. 12.

Malice may be either implied, or expressed by the Action; as when one *killeth* another without any Provocation.

So if *A*, without any Provocation, draws his Sword, and runs at *B*, and *B* draws his Sword in his own Defence, and is *killed* by *A*; this is *Malice* implied by the Law, and adjudged *Murder*.

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Express

Express Malice, is where a Person is resolved to do an unlawful Act, as to *rob*; or by Force to take away a Man's Property, and the Owner is *killed* by him in endeavouring to preserve it; this is likewise *Murder*.

BUT *killing* a Man upon a sudden *Provocation*, without *Malice Forethought*, and the Act not deliberate, is only *Manslaughter*.

52H.3.c.25. AND the *Killing* any Person casually, without any Intent to Hurt, when the Person that *kills* is doing a lawful Act, is *Chance Medley*, and not *Felony*; and therefore shall not forfeit his Life and Land, but Goods only; and that because a Subject is *killed* by his Means.

THERE is a *Homicide, se defendendo*, which is *killing* another in Defence

fence of one's Person, or Property; as when one comes to *rob* me on the High-way, or break into my House to steal my Goods, or to *assault* a Woman, with an Intent to *ravish* her, which is not *Felony*, nor Forfeiture of Goods. But these Distinctions are more proper for the Court, than the *Grand-Jury*; and therefore if a Bill is brought before you for *Murder*, you are to find it as laid; because your Verdict is not final, but determinable by the *Petit-Jury*.

Larceny from the Person, is another Specie of capital *Felony*; which is a felonious taking of Money, Goods, or Chattels, above the Value of Twelve-pence privily, without the Knowledge of the Person from whom it is taken, in any Place whatsoever, and by the Act of the Eighth 8 Eliz. c. 4. of Queen *Elizabeth*, punishable with Death.

23 *H. 8. c. 1.*25 *H. 8. c. 3.*1 *Ed. 6. c. 12.*5 & 6 *Ed. 6.*

c. 9.

3 *Wil. & Ma.*

c. 9.

So is the *Robbing* a Person in his Dwelling-house, or Place, his Wife, Children, or Servants, then being within, and put in Fear and Dread by the same; or *Robbing* in, or about the High-ways, Fields, or publick Streets; or wilful *Burning* of any Dwelling-houses, or Barns, wherein any Grain or Corn shall happen to be.

4 & 5 *Ph. &**Ma. c. 9.*

AND by the Fourth and Fifth of *Ph. & Ma.* Accessories to these *Felonies*, shall not have the *Benefit of Clergy*, but also suffer Death.

Burglary, by the Common-law, is a Breaking, and Entering of a *Mansion-house*, in the Night-time, with an Intent to commit *Felony*, whether such Intent be executed or not.

THE

THE Expression, by Night, signifies that the Fact must be committed after Sun-set, and before Sun-rising, when it is so dark that a Man's Countenance cannot be discerned thereby. There are several Ways deemed a Breaking, and Entering, in Law, *viz.* Opening the Window, unlocking the Door, drawing the Latch, making a Hole in the Wall, and getting his Body, or Foot, or Arm, within the House, or coming down a Chimney.

It is *Burglary* in a Servant, within the House, to unlatch his Master's Chamber Door, and enter with an Intent to *kill* him, and *steal* his Money, or Goods.

So is knocking at the Door of a House, pretending to have Business with

with the Owner, and being by that Means let in, rifles the House.

THERE are many other Cases, but my Time will not admit me to mention them.

18 *Eliz. c. 7.* THIS Offence, by the Eighteenth of Queen *Elizabeth*, is made *Felony* without *Benefit of Clergy*.

So by the said Act, is feloniously *ravishing* a Woman, Maid, Wife, or Damsel, or carnally knowing, and abusing any Woman Child, under the Age of ten Years.

12 *Anne c. 7.* BY the Twelfth of Q. *Anne*, any Person entering into the Mansion or Dwelling-house of another, by Day or Night, without breaking the same, with an Intent to commit *Felony*; or being in such House shall commit

mit any *Felony*, and shall in the Night-time, break the said House to get out of the same; such Person shall be adjudged guilty of *Burglary*, and be ousted of his *Clergy*, in the same Manner as if such Person had broke and entered the said House in the Night-time, with an Intent to commit *Felony* there.

AND by the said Act, every Person that shall at any Time, feloniously *steal* any Money, Goods, or Chattels, Wares, or Merchandizes, of the Value of Forty Shillings or more, being in any Dwelling-house, or Out-house thereunto belonging; although such House, or Out-house, be not actually broken by such Offender, and although the Owner of such Goods, or any other Person or Persons, be or be not in such House or Out-house, or shall assist, or aid, any Person or Persons,
to

to commit any such Offence, shall be absolutely debarred of and from the *Benefit of Clergy*.

BUT this shall not extend to *Apprentices*, under the Age of fifteen Years, who shall rob their Masters, as aforesaid.

3*W.&M.c.9.* By the Third of *William* and *Mary*, any Person breaking any Dwelling-house, Shop, or Ware-house thereunto belonging, or therewith used, in the Day-time; and feloniously taking away any Money, Goods, or Chattels, of the Value of Five Shillings or upwards, therein being; although no Person shall be within such Dwelling-house, Shop, or Ware-house; or shall Counsel, hire, or command, any Person to commit any *Burglary*, shall also be debarred from the *Benefit of Clergy*.

AND

AND by the Tenth and ^{10 & 11 W.}
Eleventh of *William* III. ^{3. c. 23.}

any Person that shall by Night, or in the Day-time, in any Shop, Ware-house, Coach-house, or Stable, privately and feloniously *steal* any Goods, Wares, or Merchandizes, being of the Value of Five Shillings, or more (although such Shop, Ware-house, Coach-house, or Stable, be not actually broke open by such Offender) and although the Owners of such Goods, or any Person or Persons, be or be not, in such Shop, Ware-house, Coach-house, or Stable, to be put in Fear; or shall assist, hire, or command, any Person or Persons to commit such Offence, shall be ousted of his *Clergy*, and suffer Death.

Gentlemen,

You will enquire of other *Felonies*, which for want of Time I shall omit

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to explain: And of *Affaults, Batteries, Affrays, Riots, Routs, unlawful Assemblies*; and in general, all Breaches of the Publick Peace.

Also the Keepers of unlicenced *Ale-houses, disorderly Houses*, and those that suffer *Drunkenness, Leudness, and Debauchery*; or permit that pernicious Evil, *common Gaming*.

You will likewise enquire, and present *common Nusances* in the Streets, Lanes, or other publick Passages, and those that cause Obstructions in the same; which hinder his MAJESTY'S Subjects from passing and repassing, with Safety, on their lawful Occasions; of which, great Complaints have often been made to this Court, that Numbers of disorderly Persons do daily assemble themselves together, in
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the upper End of *Rosemary-Lane*, within this Liberty, under Pretence of buying Old Cloaths (tho' rather stol'n Goods) of which there have been many Instances; and I am of Opinion, that these People are the Encouragers of Pick-pockets, and other Thieves, and the common Receptacle of what Goods they get by Fraud and Robbery.

I shall mention but one Offence more, which is that of *Printing* and *Publishing seditious Ballads, Pamphlets, and weekly Libels*, under a specious Pretence of *News-papers*; tho' it is very evident, that the real Design of these licentious Writers, is to recommend by indirect, and oblique Suggestions and Insinuations, the Interest of an abjured and attainted *Pretender*; or by inculcating in the People, Opinions,

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equally

equally dangerous and absurd, by insinuating, that it is indifferent who shall rule over us; Or by more audacious canvassing, villifying, and misrepresenting his MAJESTY's most undoubted Right and Title to the Crown of these Realms; or, by detestable Sophistry, endeavouring basely and traiterously, to impose a Belief upon the People, that he has forfeited such Right and Title; or, by impudent Ridicule, attempting to beget in them a Contempt for his sacred Person, and Government; by false Representations persuading them, that such Persons are employed in the Administration of publick Affairs, who do not understand, or pursue the true Interest of their Country; and finally, that his MAJESTY's most faithful Servants, think and speak meanly and disrespectfully of him, with an Intent
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to sow Discord between his MAJESTY and his loving Subjects; the Effects of which are now evident in the present insolent and wicked *Rebellion*, fomented and encouraged by these State Incendiaries, and inveterate Libellers; and may be of further bad Consequence to this Kingdom, by giving Grounds to our perfidious and avowed Enemies, to make extravagant Demands, in future Negotiations, and thereby occasion an Increase, or Continuance of our *Taxes*, in order to secure our own Rights, and preserve his MAJESTY's Honour.

If therefore, upon Enquiry, you shall find any such Partizans, and audacious Offenders, within this Jurisdiction, you will present them to the Court, as well the Authors, as the Printers and Publishers, that they may
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be dealt with according to the Laws of this Realm.

BUT I am satisfied, that the Inhabitants of this Liberty are too sensible of their present Happiness, handed down to us in the glorious *Revolution*, by our late Royal Deliverer, to change a *Protestant* KING, formed by Nature, a Lover of Liberty, the real Defender of our Faith, and of our Civil Rights; and the common Father of all his People, for a bigotted *Popish Pretender* to the Crown, nursed up in the erroneous and pernicious Doctrines of the Church of *Rome*, garnished with Superstition and Idolatry; and trained in the horrid Principles of Persecution and lawless Power: Or change an undisturbed and secured Freedom, for an *Inquisition* and intolerable *Slavery*: and the most mild, just, and prudent

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Administration, for Tyranny, Injustice, and Oppression.

Now, every Man can enjoy securely the Fruits of his own Labour; our Lives, Liberties, and Properties, are protected by our excellent Laws; and further established by our Courts in *Westminster-Hall*, being filled with learned, uncorrupt, and impartial Judges; whose Decrees and Judgments, are a sufficient Proof of their Equity and Justice.

LET us therefore, set the highest Value on these inestimable Privileges; and upon all Occasions behave, with that Affection, and Fidelity, towards his MAJESTY, his Family, and Government, as becomes loyal Englishmen, and faithful Subjects.

AND

AND I make no Doubt, but you will, in a particular Manner, seriously consider the several Things I have mentioned, and discharge the Duty of a *Grand-Jury*, with a virtuous Zeal for the Honour of GOD; and a hearty Love for the Peace and Welfare of your KING and Country. *men*

F I N I S.

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